

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

VIVIAN A. CAULKINS

v.

ARA KIMBROUGH, Lieutenant and
BUCKS COUNTY JAIL

:
:
:
:
:
:

CIVIL ACTION

NO. 21-4154

ORDER

NOW, this 11th day of May, 2022, upon consideration of plaintiff's Motion to Proceed *In Forma Pauperis* (Doc. No. 1), her *pro se* Complaint (Doc. No. 2), and her Motion to make Payment Arrangements for filing fees (Doc. No. 4), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915.
2. The Complaint is **DEEMED** filed.
3. Caulkins's claim against Bucks County Jail is **DISMISSED WITH PREJUDICE**.
4. Caulkins's destruction of personal property claim and official capacity claim against defendant Ara Kimbrough are **DISMISSED WITH PREJUDICE**.
5. Caulkins's conditions of confinement claim, retaliation claim, and deliberate indifference claim against defendant Ara Kimbrough in his personal capacity are **DISMISSED WITHOUT PREJUDICE**.
6. Plaintiff is granted leave to file an amended complaint if she does so within thirty (30) days of the date of this Order.

7. If plaintiff files an amended complaint, it shall: (a) identify all defendants both in the caption of the amended complaint and in the body of the amended complaint; and (b) state the basis for the plaintiff's claims against each defendant.

8. The amended complaint shall be a complete document that does not rely upon plaintiff's claims in her initial Complaint nor any other papers filed in this case to state a claim. When drafting an amended complaint, plaintiff shall consider the Court's reasons for dismissing the claims as explained in the Court's Memorandum of this date.

9. The Clerk of Court shall provide plaintiff with a copy of the Court's standard form complaint to be used by a *pro se* litigant filing a civil action, bearing the above Civil Action Number;

10. Plaintiff shall use this form to file her amended complaint;¹

11. Upon the filing of an amended complaint, the Clerk shall not make service unless ordered to do so by the Court.

12. If Caulkins does not file an amended complaint, the Court will direct service of her initial Complaint on defendant Ara Kimbrough **only**.

13. Caulkins may notify the Court that she seeks to proceed on this claim rather than file an amended complaint. Any such notice shall include Civil Action No. 21-4154.

14. Caulkins's motion to make payment arrangements is **DENIED AS MOOT**.

/s/ TIMOTHY J. SAVAGE J.

¹ This form is available on the Court's website at <http://www.paed.uscourts.gov/documents2/forms/forms-pro-se>.